

House File 525

H-1112

1 Amend House File 525 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 331.802, subsection 1, Code 2021, is
5 amended to read as follows:

6 1. A person's death ~~which~~ that affects the public interest
7 as specified in subsection 3 shall be reported to the county
8 medical examiner or the state medical examiner by the physician
9 in attendance, any law enforcement officer having knowledge of
10 the death, the ~~embalmer~~ funeral director, or any other person
11 present. The appropriate medical examiner shall notify the
12 city or state law enforcement agency or sheriff and take charge
13 of the body.

14 Sec. 2. Section 331.802, subsection 2, paragraph a, Code
15 2021, is amended to read as follows:

16 a. If a person's death affects the public interest as
17 specified in subsection 3, the county medical examiner shall
18 conduct a preliminary investigation of the cause and manner
19 of death, prepare a written report of the findings, promptly
20 submit the full report to the state medical examiner on forms
21 prescribed for that purpose, and submit a copy of the report
22 to the county attorney.

23 Sec. 3. Section 331.802, subsection 4, Code 2021, is amended
24 to read as follows:

25 4. a. The county medical examiner shall conduct the
26 investigation in the manner required by the state medical
27 examiner and shall determine whether the public interest
28 requires an autopsy or other special investigation. However,
29 if the death occurred in the manner specified in subsection
30 3, paragraph "j", the county medical examiner shall order
31 an autopsy, claims for the payment of which shall be filed
32 with the state appeal board and, if authorized by the board,
33 shall be paid out of moneys in the general fund of the state
34 not otherwise appropriated. In determining the need for an
35 autopsy, the county medical examiner may consider the request

1 for an autopsy from a public official or private person, but
2 the state medical examiner or the county attorney of the county
3 where the death occurred may require an autopsy except as
4 provided in paragraph "b".

5 b. If after the county medical examiner's or state medical
6 examiner's investigation of a deceased child the medical
7 examiner determines that the deceased child's cause and manner
8 of death are obvious and there are no significant legal,
9 medical, or investigative concerns by the medical examiner,
10 social services, or law enforcement, an autopsy shall not be
11 required under paragraph "a".

12 c. The county medical examiner may refer a body for autopsy
13 or further investigation pursuant to paragraph "a" to any
14 facility accredited by the national association of medical
15 examiners. The county shall pay to the receiving facility a
16 fee equal to an autopsy fee established by the office of the
17 state medical examiner by rule.

18 Sec. 4. Section 331.802, Code 2021, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 9. If an autopsy is ordered under this
21 section, the county shall reimburse the funeral director for
22 all costs associated with the transportation of the body to and
23 from the facility performing the autopsy at a rate equivalent
24 to the rate of reimbursement allowed under the standard mileage
25 rate method for computation of business expenses pursuant
26 to the Internal Revenue Code at the time the transportation
27 occurs.

28 Sec. 5. Section 331.805, subsection 2, Code 2021, is amended
29 to read as follows:

30 2. It is unlawful to embalm a body when the ~~embalmer~~ funeral
31 director has reason to believe death occurred in a manner
32 specified in section 331.802, subsection 3, when there is
33 evidence sufficient to arouse suspicion of crime in connection
34 with the cause of death of the deceased, or where it is the
35 duty of a medical examiner to view the body and investigate the

1 death of the deceased person, until the permission of a county
2 medical examiner has been obtained. When feasible, the body
3 shall be released to the funeral director for embalming within
4 twenty-four hours of death.

5 Sec. 6. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3,
6 shall not apply to this Act.>

7 2. Title page, by striking lines 1 and 2 and inserting <An
8 Act relating to the examination and transportation of dead
9 bodies, including associated fees and costs.>

GOBBLE of Polk